

REMARKS

Claims 1, 5, 9 and 23 are pending in this application.

Claims 6, 12 and 26 have been canceled.

Claims 1 has been amended for clarity to overcome the 112 rejection and include the recitations of canceled claims 6 and 12 and likewise, claim 23 has been amended to overcome the 112 rejection and to include the recitations of canceled claims 6, 12 and 26 and pending claim 9. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Claims 1, 5, 23 and 26 stand rejected under 35 U.S.C. § 103, as being unpatentable over Kim (U.S. Patent No. 6,254,249) in view of Won (U.S. Patent No. 6,950,686). The Office Action also rejects, under 35 U.S.C. § 103, claims 6 and 12 over Kim and Won, and further in view of Hsu (U.S. Patent Pub. No. 2002/0177467), and claim 9 over Kim and Won, and Motegi (U.S. Patent Pub. No. 2003/0107554). These rejections are respectfully traversed.

Claims 1 has been amended to include the recitations of canceled claims 6 and 12. Thus, Kim and Won, and Hsu will be discussed regarding amended Claim 1.

The Examiner admitted that Kim and Won do not disclose that the light source is one of an incandescent, light emitting diode or laser pointer. The Examiner cites Hsu for such a light source. Hsu however does not disclose or suggest most of the other elements of Claim 1.

It is respectfully submitted that combining three references in an obviousness rejection is improper hindsight reconstruction, based on the explicit teachings of Applicant's disclosure. Specifically, the Examiner, on page 5, second paragraph states: When Kim is used in the clam shell of Won, the light source (19 in Fig. 3 of Kim) would be centrally positioned in the second housing hinge section (Fig. 1 item 7 of Won). Thus, when the mobile is in an open state, the light source would direct light at the keypad (FIG. 7 of Kim). Furthermore, when the mobile device is in a closed position, the light source would inevitably expose the light source external to the mobile communication. Respectfully, this is total and complete speculation. There is no reason to make such an elaborate and precise modification, but for Applicant's disclosure. Even if hypothetically combined, the light source in item 7 of Won would not work, because it would

need a cavity for the light source, a conduit and wiring to power the light, which is not shown in Won. Accordingly, Applicant requests withdrawal of this rejection.

The Examiner admitted that Kim fails to disclose that the light source is coupled to the hinge section, to expose the light source external to the mobile device when closed. Furthermore, Applicants assert Kim discloses the opposite of first illuminating lamps 14-2 and 14-3 directing light substantially directly at an external visible portion of a device numeric keypad when the second housing is in the open position. In particular, Kim expressly teaches the first illuminating lamps are for use as "memorandum reading lamps." Thus, the illuminating lamps would direct light substantially directly at memorandums, not at an external visible portion of a device numeric keypad. Accordingly, Kim discloses the opposite of what is claimed and in fact teaches away from Applicant's invention in claims 1 and 23.

Applicants contend that none of the three applied references disclose a light source configured to direct light substantially at an external visible portion of a mobile communication device numeric keypad when a second housing is in the open position and *second housing hinge section configured to expose the light source external to the mobile communication device when a first housing is closed against the second housing*, as recited in independent claim 1 and 23.

The claimed feature is simply not present in the applied references, with respect to claims 1 and 23.

With respect to claim 23, this claim has been amended to overcome the 112 rejection and to include the recitations of canceled claims 6, 12 and 26 and pending claim 9. Thus, claim 23 includes the recitations of Claim 1 detail above and further recites an *opaque keypad and the second housing comprising a display and a speaker*. It is respectfully submitted that it would be improper hindsight reconstruction to use a fourth reference, such as Motegi. Further, the Examiner admitted that Kim and Won do not disclose the opaque keypad feature.

Again, none of the four applied references disclose Applicant's light source configured to direct light substantially at an external visible portion of a mobile communication device numeric keypad when a second housing is in the open position and *second housing hinge section configured to expose the light source external to the mobile communication device when a first*

housing is closed against the second housing, as recited in independent claim 23. Thus, the applied references do not disclose or suggest the claimed invention.

Therefore, Applicant respectfully submits that independent claims 1 and 23 define patentable subject matter. The remaining claims 5 and 9 depend from independent claim 1, and therefore also define patentable subject matter. Accordingly, Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. § 112 and 35 U.S.C. § 103.

CONCLUSION

Applicants respectfully submit this application is in condition for allowance. Favorable consideration and prompt allowance is earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative.

The Commissioner is hereby authorized to deduct any fees arising as a result of this Amendment or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.

Respectfully submitted,

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